

REMARKS

Status of the Claims

Upon entry of the foregoing amendment, claim 16 will be pending. Claim 16 is amended to incorporate the subject matter of claim 23. No new matter is added.

Claims 9, 11-15, and 22-24 are canceled without prejudice or disclaimer to the subject matter therein. Applicant reserves the right to pursue the canceled subject matter in one or more divisional and/or continuation applications.

Interview Summary

On February 23, 2010, Applicant's representatives and Examiner Vinod Kumar conducted a telephonic interview. During the interview, Examiner Kumar indicated that claim 23, which depends from claim 16, and recites that the sense nucleotide sequence comprises the nucleotide sequence of SEQ ID NO: 3 from the nucleotide at position 973 to the nucleotide at position 1135, is allowable. Applicant appreciates Examiner Kumar's indication of allowable subject matter and the courtesies extended by the Examiner during the interview.

Rejections Under 35 USC § 103

Claims 9-16 and 22-24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang et al. (WO03000898), in view of Wesley et al. (2001) and Panda et al (2002).

As discussed above, Examiner Kumar indicated that claim 23 is allowable. Applicant has amended claim 16 to incorporate the subject matter of claim 23, and canceled claims 9, 11-15 and 22-24. Accordingly, Applicant respectfully submits this rejection is moot.

CONCLUSION

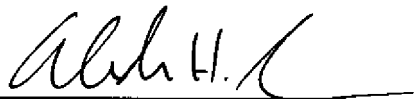
Applicant respectfully submits that the pending claim is in condition for allowance, and such disposition is earnestly solicited. Should the Examiner believe that any issues remain after consideration of this Response, the Examiner is invited to contact the Applicant's undersigned representative to discuss and resolve such issues.

Respectfully submitted,

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